

Topsfield Zoning Board of Appeals

October 22, 2013

Clerk David Merrill called the meeting to order at 8:00 PM at the Town Library. Board members present were Robert Moriarty, Jody Clineff, David Merrill, David Moniz and Gregor Smith. Roberta Knight, Community Development Coordinator was also present as well as the applicants, their representatives and interested residents. See attendance sheets for specific public hearings.

Visitors: Selectman Richard Gandt; Adrian Turcotte, Judy Turcotte, Jason Santosuosso.

45 Washington Street: At 8:00PM, Clerk David Merrill called to order the public hearing to consider the application of Adrian Turcotte for a finding pursuant to Article III, Section 3.05 of the Zoning By-Law for the demolition of an existing rear first floor room and replacement with a larger footprint to a single family residence on a non-conforming lot.

Mr. Turcotte reviewed the plans with the Board and noted that the lot was non-conforming due to frontage. The new addition would meet all setback requirements.

The Board made the appropriate findings relative to the required zoning relief. Member David Moniz made the motion to grant a finding for 45 Washington Street to allow the demolition of an existing rear first floor room and replacement with a larger footprint to a single family residence on a non-conforming lot; seconded by Member Jody Clineff; so voted 4-0.

7 Grove Street / Topsfield Station: At this time, Community Development Coordinator Roberta Knight reviewed with the members the history of the permitting process for Topsfield Station specifically the site plans for parking and the rail trail corridor easement that is located on the property. Ms. Knight then proceeded to explain that the owner, Brian Woodland had finally settled the legal suits with Topsfield Village Shopping Center and the reciprocal agreement executed in 2007 and incorporated as a condition of the special permit issued in 2007 was now in effect. The Easement License Agreement with the Town was executed in 2009. This agreement altered the approved parking site plan; as such, the Zoning Board at that time expected a modification application for the site plan to be filed relative to the number of parking spaces and their revised locations once the legal issues were settled. Mr. Woodland has proceeded within the last two weeks with a sidewalk / rail trail / parking construction project without the formal approval of the Board of Selectmen per the 2009 Easement License Agreement and without the approval of a minor modification by the Zoning Board. Mr. Woodland did attend the October 15th Selectmen's meeting at which time that Board approved the modifications. However, the Selectmen advised Mr. Woodland that he needed to also file with the Zoning Board.

The Board reviewed the latest plan dated September 21, 2013 and the members agreed that a formal review process of the modified plan would be required. It was the consensus of the Board that Mr. Woodland should proceed with the paving project, but not move forward with the marking of parking spaces until the Board reviewed the 2013 plan. The members also agreed that Topsfield Station should be placed on the agenda of the next meeting when the Board has other business to conduct.

17 Gail Street: At 8:25PM, Chairman Moriarty called to order the public hearing to consider the application of Jason Santosuosso for Tara Davis for a finding pursuant to Article III, Section 3.05 of the Zoning By-Law for the construction of a right side addition and the expansion by two (2) feet of rear extension to a single family residence on a non-conforming lot.

Mr. Santosuosso reviewed the plans with the Board and noted that the lot was non-conforming due to lot area. The new addition and rear expansion would meet all setback requirements.

The Board made the appropriate findings relative to the required zoning relief. Member Gregor Smith made the motion to grant a finding for 17 Gail Street; seconded by Clerk David Merrill; so voted 5-0.

Minutes: Member Jody Clineff made the motion to approve the minutes of September 24, 2013 as amended; seconded by Member David Moniz; so voted 5-0.

The meeting was adjourned at 9:12 PM

Respectively submitted,

Roberta M. Knight
Community Development Coordinator